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C O N F I D E N T I A L SECTION 01 OF 02 KABUL 001652

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TAGS: PREL PGOV MOPS PINS AF
SUBJECT: ICRC REPORT ON FARAH CIVCAS INCIDENT STATES 89
CIVILIANS WERE KILLED

Classified By: Asst. Ambassador Joseph Mussomeli, for reasons 1.4 (a), (b) and (d)

11. (C) Summary. ICRC Head of Mission Reto Stocker met with Ambassador Eikenberry on June 13 and delivered a written report on the events associated with the battle in Bala Baluk, Farah Province, on May 4. The ICRC concluded that the civilian death total was considerably higher than the number estimated by ISAF investigators. Nevertheless, Stocker praised the cooperation of ISAF and U.S. military officials in gathering information for the ICRC report on casualties that resulted from fighting between insurgents and ANSF/Coalition forces. The ICRC interviewed more than 50 villagers and came to the conclusion that 89 civilians were killed in bombings on the evening of May 4, with an additional 13 wounded. Although Stocker had seen an edited version of the aerial video from the B-1 bomber, he still believes that the last 2 bombs dropped hit civilians and not enemy fighters. The ICRC report was provided to assist Coalition authorities investigating the incident and will not be released publicly. End summary.

12. (U) ICRC Head of Mission Reto Stocker visited Amb. Eikenberry on June 13 and delivered a copy of his written report on the May 4 battle in Bala Baluk, Farah that resulted in an undetermined number of civilian casualties. Stocker noted that in the past he had delivered such &interventions8 to military personnel in Afghanistan, and this was the first time he was doing so with civilian leadership (he did not explain why).

13. (U) Stocker said that he had always had positive experiences in working with military officials on such sensitive issues in the past, and praised ISAF and U.S. military officials for providing &open doors8 in discussing the Bala Baluk incident.

14. (U) ICRC representatives visited Bala Baluk 3 times after May 4 to gather information, interview local residents, and get the lay of the land. They interviewed more than 50 villagers in Ganjabad and Gerani over a period of 13 days. They avoided compiling lists of victims, but did provide a complete list of interviewees in their report. They also did not use graves as evidence since many of the villagers described finding only body parts that were not suitable for normal burial.

15. (C) Stocker made it clear that the ICRC is not an investigative body, and that the report was prepared to assist the authorities in their own investigations. He said he has a high degree of confidence in its finding that 89 civilians were killed on May 4, with another 13 injured. He said there were clearly a large number of insurgents killed as well. Although he had seen an edited version of the

aerial video taken by the B-1 bomber, he took issue with allegations by some that the villagers had all cleared out of the target area before the conflict began.

¶ 16. (C) In a detailed discussion with the Ambassador on the sequence of events, Stocker agreed with U.S. military officials that the first group of individuals hit with the first bomb from the B-1 near the mosque were insurgents. He found no villagers who alleged that civilians were killed in that strike. However, he did not agree that subsequent lines of people observed moving rapidly between structures were insurgents. He showed photos of narrow paths where the movements took place, saying they tied in with the aerial video, and described multiple accounts by witnesses of families fleeing the battle with parents carrying children in their arms. Stocker said that 47 and 42 residents were killed in the second and third strikes, respectively. In support of this claim, he made the case that it would have been illogical for insurgents not killed in the first bombing to continue to gather in groups that could be targeted from above, whereas it would have been logical for civilians to have sought shelter away from the fighting.

¶ 17. (C) The Ambassador thanked Stocker for his thorough review of the events of May 4 and his contribution to developing all of the facts. He said he would continue to follow the official investigations in light of the information provided in the ICRC report, and raised several questions. Signal intelligence that the ICRC was not privy to indicated insurgent commanders were operating from the same areas where the bombings took place, and that that information cross-checked with the aerial video. The Ambassador

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mentioned that during his visit to Farah with President Karzai on May 19, he was struck by the low-key and subdued discussion of the events of May 4 by the villagers who were most affected by it. That low-key reaction may indicate that casualties were lower than reported by other sources. The Ambassador noted that NDS Saleh made a similar comment on the flight back to Kabul. The attraction of solatia payments for the deaths of family members could not be ignored as another incentive for higher alleged civilian casualty figures.

¶ 18. (C) The Ambassador noted complicating factors, such as the enthusiasm of ANSF to confront Taliban forces in the area, despite the plea of U.S. mentors to hold off until proper plans could be drawn up. The battle moved from daylight into nightfall, a more challenging environment to differentiate between insurgents and civilians. Errors may have been made on the Coalition side, but the ICRC report can only help sort out the truth.

¶ 19. (C) Comment. Reto Stocker is one of the most credible sources for unbiased and objective information in Afghanistan, and has 4 years of experience as head of the ICRC mission here. The ICRC survey of local villagers is certainly exhaustive, and the report finds significant consistency in the testimonies provided. At the same time, Stocker twice mentioned that they had placed a great deal of confidence in the statements of one particular source, later noting that the Red Crescent had an office near where the evening's fighting took place. The list of interviewees mentions no one associated with the Red Crescent. A copy of the report has been sent to SCA/A electronically. End comment.

EIKENBERRY